

Kittitas County Community Development Services

Agenda Staff Report

AGENDA DATE:

2/1/2011

ACTION REQUESTED:

Request to set a Public Hearing to consider revising code text in KCC Chapter 14.04 Building Code to adopt the new Washington State Energy Code 2009 edition (WSEC).

BACKGROUND:

In November 2009, the Washington State Building Code Council (Building Code Council) completed adoption of the 2009 International Building Code (IBC), the 2009 International Residential Code (IRC), the 2009 International Mechanical Code (IMC), the 2009 International Fire Code (IFC), the 2009 Uniform Plumbing Code (UPC) and the 2009 Washington State Energy Code 2009 edition (WSEC). These Washington State Building Codes, with State Amendments, were set to become effective on July 1, 2010. On Tuesday, May 4, 2010, the Board of County Commissioners set a Public Hearing for June, 1, 2010 to adopt the new 2009 Washington State Building Codes and Amendments that were set to go into effect July 1, 2010. In addition, the hearing was set to consider the proposed adoption of the 2009 International Property Maintenance Code (IPMC) and the 2009 International Wildland-Urban Interface Code (IWUIC). Advertisements for said hearing were published in the North Kittitas County Tribune on 5/20/2010 and in the Daily Record on 5/20/2010, 5/21/2010 and 5/28/2010.

On Tuesday, June 1, 2010, the Board of County Commissioners held a Public Hearing to consider revising code text in KCC Chapter 14.04 Building Code to adopt the new 2009 Washington State Building Codes and two other codes.

The hearing was continued until Tuesday, June 15, 2010, for further consideration.

On June 8th, 2010, the Governor, Christine O. Gregoire, requested the Building Code Council take action to delay the effective date of the new Washington State Energy Code 2009 edition (WSEC), for a period of nine months, until April 1, 2011. The Building Code Council responded with an emergency rule on June 11, 2010 to temporarily delay the effective implementation date for the Washington State Energy Code 2009 edition (WSEC) for 120 days from July 1, 2010 to October 29, 2010.

On Tuesday, June 15th, 2010, the Board of County Commissioners continued the Public Hearing from June 1, 2010, to consider revising code text in KCC Chapter 14.04 Building Code to adopt the new 2009 Washington State Building Codes and two other codes. Staff recommended that the Washington State Energy Code 2009 edition (WSEC) not be adopted due to the Governor's request for delay of the effective implementation date of this code. The Board of County Commissioners passed a motion to adopt the new 2009 Washington State Building Codes, which included the 2009 International Property Maintenance Code (IPMC) and 2009 International Wildland-Urban Interface Code (IWUIC) and directed staff to generate the enabling documents. The motion did not include the Washington State Energy Code 2009 edition (WSEC). The current Washington State Energy Code 2006 edition (WSEC) was to stay in effect.

On Tuesday, July 6th, 2010, the Board of County Commissioners signed the Ordinance 2010-03 to adopt the new 2009 Washington State Building Codes, which included the 2009 International Property Maintenance Code (IPMC) and 2009 International Wildland-Urban Interface Code (IWUIC). The ordinance did not include the new Washington State Energy Code 2009 edition (WSEC).

On October 15, 2010 the Building Code Council voted to implement and make effective the Washington State Energy Code 2009 edition (WSEC) on January 1, 2011. Hearings were held by the Building Code Council during September in both Olympia and Spokane.

On November 19, 2010, the Building Code Council adopted an emergency rule amending the Washington State Energy Code 2009 edition (WSEC) regarding residential duct testing for existing homes. This will be followed by the regular rulemaking process.

By way of summary, Kittitas County shall set a Public Hearing to consider revising KCC Chapter 14.04 Building Code to adopt the new Washington State Energy Code 2009 edition (WSEC) that went into effect on January 1, 2011.

INTERACTION:

CDS staff has reviewed the existing code text and made revisions; the PAO has reviewed and approved the proposed code text change and ordinance and; the PAO has reviewed and approved the Notice of Public Hearing.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners set a Public Hearing for February 15th, 2011 to consider revising code text in KCC Chapter 14.04 Building Code to adopt the new Washington State Building Code 2009 edition (WSEC).

HANDLING:

KCCDS, KCPAO, KCCDS to receive signed copies.

LEAD STAFF:

Dan Davis